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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of |) | MAIL STOP PCT |
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| David Teh-Wei CHOU et al. |) | Group Art Unit: |
| |) | |
| Application No.: |) | Examiner: |
| |) | |
| Filed: |) | Confirmation No.: |
| |) | |
| For: 5-SUBSTITUTED- |) | |
| ALKYLAMINOPYRAZOLE |) | |
| DERIVATIVES AS PESTICIDES |) | |
| |) | |
| National Phase of |) | |
| International Appln. No. PCT/EP03/02010 |) | |
| International Filing Date: 27 February 2003 |) | |
| Earliest Priority Date: 5 March 2002 |) | |

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants are submitting for consideration by the Examiner a copy of the International Search Report in English, issued during the international phase of PCT/EP03/02010, of which the present application is the U.S. national phase. Documents cited in the International Search Report and on page 1 of the application are listed on the accompanying form PTO-1449 (1 sheet), together with U.S. counterparts, where available, of non-English documents.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The following documents listed on the accompanying Form PTO-1449 are not in English: EP 0659745, EP 0679650, EP 0201852, WO 98/24769 and WO 02/066423. Each of these documents is cited in the instant specification and a patent family search and

English-language abstract is provided herewith to serve as a brief statement of relevance. In addition, for those non-English documents for which U.S. counterparts are available, such counterparts are cited to serve as English-language translations. Thus, Stetter et al. U.S.P. 5,580,843 is cited as corresponding to EP 0659745; Stetter et al. U.S.P. 5,939,441 is cited as corresponding to EP 0679650; Jensen-Korte et al. U.S.P. 4,945,165 is cited as corresponding to EP 0201852; and Alig et al. U.S.P. 6,265,430 is cited as corresponding to WO 98/24769. No U.S. counterpart of WO 02/066423 was located.

This statement, Form PTO-1449 (1 sheet) and accompanying documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

It is respectfully requested that this statement, Form PTO-1449 (1 sheet) and listed documents be considered by the Examiner and that an Examiner-initialed copy of Form PTO-1449 (1 sheet) be returned to the undersigned with the next official Communication.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date September 2, 2004

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Substitute for form 1449A/PTO & 1449B/PTO

**FIRST
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete Known

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|------------------------|---------------------------|
| Application Number | 10/506356 |
| Filing Date | |
| First Named Inventor | David Teh-Wei CHOU et al. |
| Examiner Name | |
| Attorney Docket Number | 033495-013 |

U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
| /K.S./ | 5,232,940 | | Hatton et al. | 08-03-1993 |
| ↓ | 5,580,843 | | Stetter et al. | 12-03-1996 |
| | 4,945,165 | | Jensen-Korte et al. | 07-31-1990 |
| /K.S./ | 6,265,430 | B1 | Alig et al. | 07-24-2001 |
| | 5,939,441 | | Stetter et al. | 08-17-1999 |
| | | | | |
| | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS | | | | | | | |
|-------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|--|
| | | | | | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec | |
| /K.S./ | 98/28278 | A1 | WO | 07-02-1998 | | | | | | | | |
| ↓ | 93/06089 | A1 | WO | 04-01-1993 | | | | | | | | |
| | 94/21606 | A1 | WO | 09-29-1994 | | | | | | | | |
| | 87/03781 | A1 | WO | 07-02-1997 | | | | | | | | |
| | 0295117 | A1 | EP | 12-14-1988 | | | | | | | | |
| | 0659745 | A1 | EP | 06-28-1995 | X | | | | | X | X | |
| | 0679650 | A1 | EP | 11-02-1995 | X | | | | | X | X | |
| | 0201852 | A2 | EP | 11-20-1986 | X | | | | | X | X | |
| | 00/35884 | A1 | WO | 06-22-2000 | | | | | | | | |
| | 0846686 | A1 | EP | 06-10-1998 | | | | | | | | |
| ↓ | 98/24769 | A1 | WO | 06-11-1998 | X | | | | | X | X | |
| /K.S./ | 97/28126 | A1 | WO | 08-07-1997 | | | | | | | | |
| | 02/066423 | A1 | WO | 02-21-2002 | X | | | | | X | X | |

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| Examiner Signature | /Kamat Saeed/ | Date Considered | 04/14/2008 |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.